Fencing of Border in Jammu and Kashmir

2092. SHRI RAJUBHAI A. PARMAR : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether barbed wire fencing and flood lighting along Indo-Pak borders in Jammu and Kashmir has yet to be undertaken;

(b) what is the length of the border in each sector to be provided with such fencing and the estimated cost thereof; and

(c) whether such fencing is also to be provided along the Line of Actual Control, if so, its length and estimated cost thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M. M. JACOB) : (a) to (c) The feasibility of constructing the fencing and flood lighting on the international border in Jammu and Kashmir is under examination of the Government.

Prolonged detention of under trials

2093. SHRI RAJUBHAI A. PARMAR: Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether there is no limit for detention of under trials, in cases where no bail is sought or where bail application is rejected;

(b) if so, what is the number of under trials under detention in jails or lock-ups for over five years in Delhi as on January, 1, April 1, July 1 and October 1, 1992; and

(c) the nature of the crimes alleged to have been committed by them and the reasons for their prolonged detention ?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMETARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M. M. JACOB) : (a) The hon'ble Supreme Court have issued the following guidelines in this regard;

(i) Under trials who are in detention for period more than the sentence that can be awarded in case of convictions, should be released forthwith as such detention was illegal and violates Article 21 of the Constitution;

(ii) All under trial prisoners who are charged with bailable offences but who are still in jail are presumably because no application for bail has been made on their behalf or because they are so poor that they are not able to furnish bail, should be considered for release on personal bonds; and

(iii) Under trials prisoners who have suffered incarceration proceeding half of the maximum punishment that can be awarded by the Court might be considered for release on personal bonds and counsel be made available to them.

(b) As per information from the Delhi Administration, the number of under-trials under detention for more than five years is as under :

As on	Delhi Jails	Police Lock-up
1st January, 1992	28	...
1st April, 1992	36	...
1st July, 1992	43	...
1st October, 1992	54	...